

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Sep 05, 2019**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Jose Filiberto Ariza, Jr.

Case Number: 0980 2:16CR00084-WFN-1

Address of Offender:

Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: June 14, 2017

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1) and 924(a)(2)

Original Sentence: Prison - 34 months  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Daniel Hugo Fruchter

Date Supervision Commenced: November 16, 2018

Defense Attorney: Colin G. Prince

Date Supervision Expires: November 15, 2021

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**PETITIONING THE COURT**

To issue a summons and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 02/08/2019 and 07/08/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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	<p><b>Standard Condition # 7:</b> You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.</p>
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**Supporting Evidence:** Mr. Ariza is alleged to have violated his conditions of supervised release by failing to notify the undersigned officer within 72 hours of being terminated from his employment.

On November 16, 2018, Mr. Ariza reported to the U.S. Probation Office for the purpose of an intake. It was at that time Mr. Ariza was informed of all mandatory, standard, and special conditions of supervised release. Mr. Ariza signed his judgment acknowledging he understood his conditions of supervised release, to include standard condition number 7.

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On August 30, 2019, Mr. Ariza reported to the probation office at the direction of the undersigned officer to discuss his drug and alcohol treatment schedule, as it had come to this officer's attention he had been moved to morning treatment groups. Mr. Ariza advised the undersigned officer he was no longer employed and had moved to the morning treatment groups. He further stated he was terminated from his employment on August 23, 2019, which is beyond the 72-hour requirement to notify the undersigned officer.

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**Special Condition # 3:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Ariza is alleged to have used methamphetamine on or about August 11, 2019.

On November 16, 2018, Mr. Ariza reported to the U.S. Probation Office for the purpose of an intake. It was at that time Mr. Ariza was informed of all mandatory, standard, and special conditions of supervised release. Mr. Ariza signed his judgment acknowledging he understood his conditions of supervised release, to include special condition number 3.

On August 14, 2019, Mr. Ariza reported to the probation office as directed. He was asked to submit to a random urinalysis test. He admitted to using methamphetamine on or about August 11, 2019, and signed a drug use admission form.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a summons requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/05/2019

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s/Corey M. McCain

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Corey M. McCain  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



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Signature of Judicial Officer

9/5/2019

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Date